

In the High Court of Punjab & Haryana at Chandigarh

**R. F. A No. 906 of 1992 (O&M)**

The State of Haryana and another

..... Appellants

VS

Bir Singh and others

..... Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal**

Present: Mr. Ashish Gupta, Assistant Advocate General, Haryana.

Mr. Manoj Sharma, Advocate for

Mr. C. B. Goel, Advocate, for the respondents.

**Rajesh Bindal J.**

The State has filed the present appeal against the award of the learned court below passed under Section 18 of the Land Acquisition Act, 1894 (for short, 'the Act') seeking reduction in the compensation for the acquired land.

Briefly, the facts of the case are that the State of Haryana vide notification dated 10.1.1983 issued under Section 4 of the Act, acquired the land situated in revenue estate of Village Jharsa, Tehsil and District Gurgaon, for the development and utilisation thereof for residential and commercial purpose at Gurgaon. The Land Acquisition Collector assessed the market value of different kinds of land at different rates. On reference under Section 18 of the Act, the learned court below determined the market value of the acquired land which is situated in the rear portion to the National Highway at ₹ 68/- per square yard and for the land which is within the depth of ten yards from National Highway at ₹ 136/- per square yard.

Learned State counsel very fairly conceded that the claim made in the appeal is squarely covered against the State by judgment of this court in RFA No. 2868 of 1992- Balai Ram and others vs State of Haryana and another, decided on 19.11.2008, whereby award of the Reference Court was upheld. Accordingly, the claim made in the present appeal does not survive.

For the reasons recorded in Balai Ram's case (supra), the present appeal is dismissed.

26.7.2010.  
vs.

**( Rajesh Bindal )**  
**Judge**